

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marc Morley on 27 January 2009.

The application has been amended as follows:

In claim 44 line 1 please delete - - 21 - - and in its place insert - - 42 - -.

Please change the claim identifier of claim 36 from "withdrawn" to "previously presented" as it is no longer withdrawn.

Claim 21 is directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claim 36, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 10 August 2006 is hereby withdrawn**. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes

all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

The following is an examiner's statement of reasons for allowance:

None of the prior art made of record discloses, teaches, or suggests the claimed invention including at least first, second, third, and fourth cleaning faces, each of the cleaning faces comprises a plurality of parallel ridges that run the length of their respective face, wherein the cleaning device comprises at least two materials selected from the group consisting of foam, rubber, silicon, a synthetic material, polyester, cellulose, natural sponge, synthetic sponge, plastic, mesh, fiber, nylon, natural bristles, synthetic bristles, an organic polymer, an extrusion, and combinations thereof, wherein the first, second, third, and fourth pluralities of parallel ridges form a plurality of *continuous* ridges that *circumscribe* each of the four faces, wherein the device is in the shape of a rectangular block and *comprises ridges on the two largest faces of the device*.

US 2001/0029967 to McDonough discloses a rectangular-shaped cooking top cleaning device where there are ridges on two of the faces. The ridges are not along four faces, do not circumscribe four faces, and are not present on the two largest faces of the device (the two largest faces are the lower and upper most faces as it is oriented

in Figure 1). US 6,663,309 to Zamansky et al. does not disclose that the cleaning device is in the shape of a rectangular block and that it comprises ridges on the two largest faces of the device. US 3,188,675 to Beck is another cleaning device that is rectangular shaped, has a plurality of ridges on at least four faces, and comprises ridges on the two largest faces of the device. However, in Beck the parallel ridges are not continuous and do not circumscribe each of the four faces. Beck explicitly teaches that the ridges are not continuous and are made of small blocks (22) to enhance the cleaning properties of the device (Column 3 Lines 47-53). US 3,707,012 to Lane is additionally cited at this time, as it is a rectangular-shaped block and has ridges on the two largest faces of the device. Lane does not disclose parallel ridges on four cleaning faces that are continuous and circumscribe each of the four faces. Lastly, US 6,833,033 to Knight is directed to a method of contacting a cleaning surface with a rectangular-shaped device that has ridges on the two largest faces of the device. Knight does not disclose parallel ridges on four cleaning faces that circumscribe each of the four faces.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-

1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura C Guidotti/  
Primary Examiner, Art Unit 3727

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